
STATUTORY INSTRUMENTS

1982 No. 894

The Statutory Sick Pay (General) Regulations 1982

Qualifying days

5.—(1) In this regulation “week” means a period of 7 consecutive days beginning with Sunday.

(2) Where an employee and an employer of his have not agreed which day or days in any week are or were qualifying days [^{F1}or where in any week the only day or days are or were such as are referred to in paragraph (3)], the qualifying day or days in that week shall be—

- (a) the day or days on which it is agreed between the employer and the employee that the employee is or was required to work (if not incapable) for that employer or, if it is so agreed that there is or was no such day,
- (b) the Wednesday, or, if there is no such agreement between the employer and employee as mentioned in sub-paragraph (a),
- (c) every day, except that or those (if any) on which it is agreed between the employer and the employee that none of that employer's employees are or were required to work (any agreement that all days are or were such days being ignored).

[^{F2}(3) No effect shall be given to any agreement between an employee and his employer to treat as qualifying days—

- (a) any day where the day is identified, whether expressly or otherwise, by reference to that or another day being a day of incapacity for work in relation to the employee's contract of service with an employer;
- (b) any day identified, whether expressly or otherwise, by reference to a period of entitlement or to a period of incapacity for work.]

F1 Words in reg. 5(2) inserted (5.3.1985) by [The Statutory Sick Pay \(General\) Amendment Regulations 1985 \(S.I. 1985/126\)](#), regs. 1, **2(2)**

F2 Reg. 5(3) inserted (5.3.1985) by [The Statutory Sick Pay \(General\) Amendment Regulations 1985 \(S.I. 1985/126\)](#), regs. 1, **2(3)**

Status:

This revised version has been created from an electronic version contributed by Westlaw which was originally derived from the printed publication.

Read more**Changes to legislation:**

There are currently no known outstanding effects for the The Statutory Sick Pay (General) Regulations 1982, Section 5.